

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 532, As Amended

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO PROVIDE FOR MONEYS RECEIVED FROM THE SALE OF CONSERVATION PERMITS; AMENDING CHAPTER 4, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-409B, IDAHO CODE, TO AUTHORIZE THE FISH AND GAME COMMISSION TO PROMULGATE RULES RELATING TO THE ENTRY UPON CERTAIN DEPARTMENT LANDS AND TO PROVIDE FOR CONSERVATION PERMITS; AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE FOR FEES FOR CONSERVATION PERMITS; AND AMENDING SECTION 36-1401, IDAHO CODE, TO PROVIDE THAT CERTAIN CONDUCT SHALL CONSTITUTE AN INFRACTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-111, Idaho Code, be, and the same is hereby amended to read as follows:

36-111. FISH AND GAME SET-ASIDE ACCOUNT. (1) There is hereby established the fish and game set-aside account in the dedicated fund. The account shall have paid into it moneys as follows:

(a) Four dollars (\$4.00) of each steelhead trout or anadromous salmon permit sold. Moneys from this source shall be used for the acquisition, development and maintenance of parking areas, access sites, boat ramps and sanitation facilities in salmon and steelhead fishing areas, for management of and research on steelhead trout and anadromous salmon problems, and for technical assistance with litigation concerning steelhead and anadromous salmon originating in Idaho.

(b) Two dollars (\$2.00) from each combination hunting and fishing license, or each hunting license sold, as provided in sections 36-406 and 36-407, Idaho Code, except that class 4 licenses shall be exempt from this provision. Moneys from this source shall be used for the purposes of acquiring access to and acquiring and rehabilitating big game ranges and upland bird and waterfowl habitats. Unless it is inconsistent with the goals of the commission, it is the intent of the legislature that the commission negotiate lease arrangements as compared with outright purchase of private property.

(c) One dollar and fifty cents (\$1.50) from each antelope, elk and deer tag sold as provided in section 36-409, Idaho Code. Not less than seventy-five cents (75¢) of each one dollar and fifty cents (\$1.50) collected shall be placed in a separate account to be designated as a feeding account. Moneys in this account shall be used exclusively for the purposes of winter feeding of and rehabilitation of winter range for antelope, elk and deer. The balance of moneys realized from this source may be used for the control of depredation of private property by antelope, elk and deer and control of predators affecting antelope, elk and deer. Moneys in the feeding account shall not be used for any

purpose other than winter feeding as herein specified until the total funds in the account, including any interest earnings thereon, equal or exceed four hundred thousand dollars (\$400,000). Moneys in the feeding account may not be expended except upon the declaration of a feeding emergency by the director of the department of fish and game. Such emergency need not exist on a statewide basis but can be declared with respect to one (1) or more regions of the state. The department shall by rule establish the criteria for a feeding emergency.

(d) Those amounts designated by individuals in accordance with section 63-3067A(3) (a), Idaho Code, and from fees paid under the provisions of section 49-417, Idaho Code. Moneys from these sources shall be used for a nongame management and protection program under the direction of the fish and game commission.

(e) Unless inconsistent with funding or management agreements directing program income, forty percent (40%) of moneys received, in accordance with section 36-409B, Idaho Code, shall be used for the maintenance and operation of department owned, leased or managed sites, not including those private lands enrolled in ACCESS YES; twenty percent (20%) shall be used for development and implementation of noxious weed biological control; and the remainder may be used for the department's nongame program or for the purposes stated in this paragraph (e).

(f) Money derived from the assessment of processing fees. Moneys derived from this source shall be used as provided in section 36-1407, Idaho Code.

(2) Moneys in the fish and game set-aside account and the feeding account established in subsection (1) (c) of this section are subject to appropriation, and the provisions of section 67-3516, Idaho Code. Moneys in the fish and game set-aside account and the feeding account shall be invested by the state treasurer in the manner provided for investment of idle state moneys in the state treasury by section 67-1210, Idaho Code, with interest earned on investments from each account to be paid into that account.

SECTION 2. That Chapter 4, Title 36, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 36-409B, Idaho Code, and to read as follows:

36-409B. ACCESS TO DEPARTMENT LANDS. The commission is authorized to promulgate rules specifying department lands for which a conservation permit, hunting, fishing or trapping license is required for entry and establishing exceptions to such requirements. Exceptions shall include, but not be limited to, providing that a conservation license shall not be required for those under eighteen (18) years of age and that only one (1) adult hunting, fishing, trapping or conservation license holder accompanying their immediate family shall be required to allow the family to enter selected Idaho department of fish and game lands. A conservation permit may be had by a resident or nonresident upon payment of a fee as specified in section 36-416, Idaho Code.

SECTION 3. That Section 36-416, Idaho Code, be, and the same is hereby amended to read as follows:

36-416. SCHEDULE OF LICENSE FEES.

(a) Sport Licenses

License	Resident	Non-Resident
Combination License	\$ 31.75	\$ 238.25
Hunting License	11.00	153.00
Fishing License	24.00	96.50
Sr. Combination License (65 and Older)	10.00	N/A
Sportsman's Pak License	108.50	N/A
Jr. Combination License	15.75	N/A
Jr. Hunting License	5.50	N/A
Jr. Mentored Hunting License	N/A	30.00
Youth Small Game License	5.50	18.25
Youth Hunter Education		
Graduate Hunting License	3.25	3.25
Jr. Fishing License	12.00	20.00
Disabled Combination License	3.25	N/A
Disabled Fishing License	3.25	N/A
Military Furlough Combination License	15.75	N/A
Military Furlough Fishing License	15.75	N/A
Small Game Hunting License	N/A	96.00
Daily Fishing (1st-day) License	9.75	11.00
Consecutive Day Fishing License	5.00	6.00
3 Day Fishing with		
Salmon/Steelhead Permit	N/A	35.75
Nongame Hunting License	N/A	33.75
(b) Sport Tags		
Deer Tag	\$ 18.00	\$ 300.00
Controlled Hunt Deer Tag	18.00	300.00
Jr. or Sr. or Disabled		
American Veteran Deer Tag	9.00	N/A
Jr. Mentored Deer Tag	N/A	22.00
Elk A Tag	29.00	415.00
Elk B Tag	29.00	415.00

1	Controlled Hunt Elk Tag	29.00	415.00
2	Jr. or Sr. or Disabled		
3	American Veteran Elk		
4	Tag	14.75	N/A
5	Jr. Mentored Elk Tag	N/A	38.00
6	Bear Tag	9.75	184.25
7	Jr. or Sr. or Disabled		
8	American Veteran Bear Tag	5.00	N/A
9	Jr. Mentored Bear Tag	N/A	22.00
10	Turkey Tag	18.00	78.25
11	Jr. or Sr. or Disabled		
12	American Veteran Turkey Tag	9.00	N/A
13	Jr. Mentored Turkey Tag	N/A	18.00
14	Mountain Lion Tag	9.75	184.25
15	Gray Wolf Tag	9.75	184.25
16	Antelope Tag	29.50	310.00
17	Moose Tag	165.00	2,100.00
18	Sheep Tag	165.00	2,100.00
19	Goat Tag	165.00	2,100.00
20	Sandhill Crane Tag	18.00	65.75
21	(c) Sport Permits		
22	Bear Baiting Permit	\$ 11.00	\$ 30.00
23	Hound Hunter Permit	11.00	168.00
24	WMA Upland Game Bird Permit	22.00	50.00
25	Archery Permit	16.50	18.25
26	Muzzleloader Permit	16.50	18.25
27	Salmon Permit	11.00	24.00
28	Steelhead Permit	11.00	24.00
29	Federal Migratory Bird Harvest		
30	Info. Permit	0.00	3.00
31	Disabled		
32	Archery Permit	0.00	0.00
33	2-Pole Fishing Permit	12.00	13.75
34	Turkey Controlled Hunt Permit	6.00	6.00
35	Sage/Sharptail Grouse Permit	3.00	3.00
36	Disabled Hunt Motor		
37	Vehicle Permit	0.00	0.00

1	(d) Commercial Licenses and Permits		
2	Raptor Captive Breeding Permit	\$ 65.75	\$ 78.75
3	Falconry Permit	27.25	N/A
4	Falconry Capture Permit	N/A	168.00
5	Jr. Trapping License	5.50	N/A
6	Trapping License	25.00	300.00
7	Taxidermist-Fur Buyer License		
8	5 year license	175.00	N/A
9	1 year license	38.25	168.25
10	Shooting Preserve Permit	329.75	N/A
11	Commercial Wildlife		
12	Farm License	137.50	N/A
13	Commercial Fishing License	110.00	265.00
14	Wholesale		
15	Steelhead License	165.00	198.25
16	Retail Steelhead Trout		
17	Buyer's License	33.00	39.25
18	(e) Commercial Tags		
19	Bobcat Tag	\$ 3.00	\$ 3.00
20	Otter Tag	3.00	3.00
21	Net Tag	55.00	65.75
22	Crayfish/Minnow Tag	1.25	3.00
23	(f) Miscellaneous-Other Licenses		
24	Duplicate License	\$ 5.50	\$ 6.50
25	Shooting Preserve License	11.00	22.00
26	Captive Wolf License	22.00	N/A
27	(g) Miscellaneous-Other Tags		
28	Duplicate Tag	\$ 5.50	\$ 6.50
29	Wild Bird Shooting Preserve Tag	5.50	6.50
30	(h) Miscellaneous-Other Permits-Points-Fees		
31	Falconry In-State Transfer Permit	\$ 5.50	\$ N/A
32	Falconry Meet Permit	N/A	26.25
33	Rehab Permit	3.00	3.00

1	Educational Fishing Permit	0.00	0.00
2	Live Fish Importation Permit	3.00	3.00
3	Sport Dog and Falconry Training Permit	3.00	3.00
4	Wildlife Transport Permit	3.00	3.00
5	Scientific Collection		
6	Permit	50.00	50.00
7	Private Park Permit	21.75	26.25
8	Wildlife Import Permit	21.75	26.25
9	Wildlife Export Permit	11.00	13.25
10	Wildlife Release Permit	11.00	13.25
11	Captive Wildlife Permit	21.75	26.25
12	Fishing Tournament Permit	21.75	25.00
13	Dog Field Trial Permit	33.00	40.00
14	Live Fish Transport Permit	21.75	26.25
15	Controlled Hunt		
16	Application Fee	4.50	13.00
17	Fee for Application for		
18	the Purchase of Controlled		
19	Hunt Bonus or Preference Points	4.50	4.50
20	Nursing Home Fishing Permit	33.00	N/A
21	<u>Conservation Permit</u>	<u>10.00</u>	<u>20.00</u>

22 SECTION 4. That Section 36-1401, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 36-1401. VIOLATIONS. (a) Infractions. Any person who pleads guilty to
 25 or is found guilty of a violation of the following provisions of the fish
 26 and game code or the following rules or proclamations promulgated pursuant
 27 thereto is guilty of an infraction:

28 1. Statutes.

29 (A) Take, transport, use or have in possession bait fish as set
 30 forth in section 36-902(d), Idaho Code.

31 (B) Chumming as set forth in section 36-902(e), Idaho Code.

32 (C) Nonresident child under the age of fourteen (14) years fish-
 33 ing without a valid license and not accompanied by a valid license
 34 holder as set forth in section 36-401(a)2., Idaho Code.

35 (D) Use or cut a hole larger than ten (10) inches in the ice for ice
 36 fishing as set forth in section 36-1509(a), Idaho Code.

37 (E) Store fish without required tags/permits/statements as set
 38 forth in section 36-503, Idaho Code.

39 (F) Own, possess or harbor any dog found running loose and which
 40 is tracking, pursuing, harassing or attacking a big game animal as
 41 set forth in section 36-1101(b)6.(B), Idaho Code.

(G) Hunt migratory waterfowl without having in possession a signed federal migratory bird hunting stamp as set forth in section 36-1102(b)2., Idaho Code.

(H) Hunt migratory game birds without having in possession a license validated for the federal migratory bird harvest information program permit as set forth in section 36-409(k), Idaho Code.

(I) Trap in or on, destroy or damage any muskrat house as provided in section 36-1103(c), Idaho Code.

(J) Hunt migratory game birds with a shotgun capable of holding more than three (3) shells as provided and incorporated in section 36-1102(b), Idaho Code.

2. Rules or Proclamations.

(A) Fish from a raft or boat with motor attached in waters where motors are prohibited.

(B) Fish with hooks larger than allowed in that water.

(C) Fish with barbed hooks in waters where prohibited.

(D) Exceed any established bag limit for fish by one (1) fish, except bag limits for anadromous fish, landlocked chinook salmon, kamloops rainbow trout, lake trout, or bull trout.

(E) Fish with more than the approved number of lines or hooks.

(F) Fail to leave head and/or tail on fish while fish are in possession or being transported.

(G) Snag or hook fish other than in the head and fail to release, excluding anadromous fish.

(H) Fail to attend fishing line and keep it under surveillance at all times.

(I) Fail to comply with mandatory check and report requirements.

(J) Fail to leave evidence of sex or species attached as required on game birds.

(K) Hunt or take migratory game birds or upland game birds with shot exceeding the allowable size.

(L) Fail to release, report or turn in nontarget trapped animals.

(M) Fail to complete required report on trapped furbearer.

(N) Fail to present required furbearer animal parts for inspection.

(O) Fail to attach identification tags to traps.

(P) Possess not more than one (1) undersized bass.

(Q) Park or camp in a restricted area, except length of stay violations.

(R) Fail to leave evidence of sex attached as required on game animals.

(S) Entry upon designated department lands without a valid conservation permit, hunting, fishing or trapping license.

(b) Misdemeanors. Any person who pleads guilty to, is found guilty or is convicted of a violation of the provisions of this title or rules or proclamations promulgated pursuant thereto, or orders of the commission, except where an offense is expressly declared to be an infraction or felony, shall be guilty of a misdemeanor.

1 (c) Felonies. Any person who pleads guilty to, is found guilty or
2 is convicted of a violation of the following offenses shall be guilty of a
3 felony:

4 1. Knowingly and intentionally selling or offering for sale or
5 exchange, or purchasing or offering to purchase or exchange, any
6 wildlife, or parts thereof, which has been unlawfully killed, taken or
7 possessed.

8 2. Releasing into the wild, without a permit from the director, any of
9 the following wildlife, whether native or exotic: ungulates, bears,
10 wolves, large felines, swine, or peccaries.

11 3. Unlawfully killing, possessing or wasting of any combination of
12 numbers or species of wildlife within a twelve (12) month period which
13 has a single or combined reimbursable damage assessment of more than one
14 thousand dollars (\$1,000), as provided in section 36-1404, Idaho Code.

15 4. Conviction within ten (10) years of three (3) or more violations of
16 the provisions of this title, penalties for which include either or both
17 a mandatory license revocation or a reimbursable damage assessment.